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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,854	01/26/2001	Paul R. Nemeth	99CR065/KE	7848

7590 08/09/2002

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EXAMINER

CHOWDHURY, TARIFUR RASHID

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 08/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/770,854	NEMETH, PAUL R.	
Examiner	Tarifur R Chowdhury	Art Unit	2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 January 2001 .
- 2a) This action is **FINAL**. 2b) This action is non-final..
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 May 2001 is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____ .
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
- 4) Interview Summary (PTO-413) Paper No(s) _____ .
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claim 12 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tomita et al., (Tomita), USPAT 5,926,246.**

3. Tomita discloses and shows in Fig. 5, an apparatus for repairing defect in a normally white liquid crystal display, the apparatus comprising:

- pixel defect location means for identifying a location of a defective pixel; and
- ablation means for ablating a portion of a color filter corresponding to the location of the defective pixel.

Accordingly, claim 12 is clearly anticipated.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomita.**

6. Tomita discloses a method for repairing defects in a normally white liquid crystal display (col. 1, lines 7-11; col. 6, line 33-34), the method comprising:

- locating a defective pixel in the liquid crystal display;
- focusing a laser on a portion of a color filter corresponding to the defective pixel; and
- at least partially ablating the portion of the color filter corresponding to the defective pixel using the laser.

As to the limitations of applying power to the liquid crystal display and backlighting the display while power is applied, is common and known in the art and thus would have been obvious to avail a proven technology.

Accordingly, claims 1 and 2 would have been obvious.

As to claim 3, using a color vision system to locate defective pixel is common and known in the art and thus would have been obvious to avail a proven system.

As to claim 4, Tomita shows that a controller is used to control the laser to ablate the portion of the color filter (Fig. 5).

As to claim 6, as to the step of ablating, darkening the portion of the color filter corresponding to the defective pixel so that bright spot is eliminated is common and known in the art and thus would have been obvious.

As to claim 7, repeating the steps of locating, focusing and ablating to correct plurality of defects on the liquid crystal display is considered as intended use and thus would have been obvious.

As to claim 8, using a motion control system to control the motion of the laser is common and known in the art and thus would have been obvious to avail a proven technology.

As to claims 5 and 9, Tomita discloses that the laser have a wavelength in the visible range when it is focused.

As to claim 10, typically a vision system includes a camera equipped with automatic focus and automatic zoom that scans the LCD.

As to claim 11, Tomita shows in fig. 5 that the laser includes a mask to block laser light from ablating portions of the color filter associated with non-defective pixel.

Conclusion

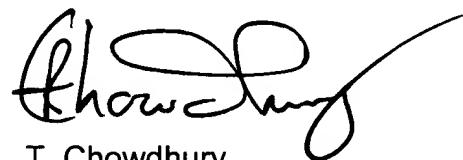
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L Sikes can be reached on (703) 305-4842. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7005 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

August 7, 2002



T. Chowdhury
Patent Examiner
Technology Center 2800